

## REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 9 through 17 and 19 through 25 are pending, with Claims 9, 19, 20 and 25 being independent.

Claims 9, 19, and 20 have been amended. Claim 25 has been added. Applicant submits that support for the amendments can be found in the original disclosure at least, for example, at page 49, lines 6-11. Therefore, no new matter has been added.

The June 8, 2004 Office Action does not indicate whether the corrected formal drawings filed on April 28, 2004 are approved. Applicant assumes that they have been approved since no objection was raised. However, affirmative confirmation would be appreciated.

Claims 9 through 17 and 19 through 24 stand rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,542,927 B2 (Rhoads). Applicant respectfully traverses this rejection for the reasons discussed below.

As recited in independent Claim 9, the present invention includes, *inter alia*, the features of displaying an inquiry as to whether or not a user intends to receive a data list by using detected digital watermark information, receiving the data list from a device according to an obtained address, and receiving data selected by a user from the data list. Independent Claims 19, 20, and 25 recite similar features. Applicant submits that the cited art fails to disclose or suggest at least these features.

Rhoads discloses a device that detects data added to paper, accesses a database of an external server corresponding to the detected data, and then receives information from the

database. However, while that patent discloses detecting data and obtaining the address of an external server, Applicant submits that it fails to disclose or suggest at least the feature of receiving a data list, as recited in the independent claims. Instead, Applicant submits that Rhoads only discloses that all information corresponding to the detect data is received, rather than merely a data list. Further, Applicant submits that Rhoads also fails to disclose or suggest at least the feature of receiving data selected by a user from the data list.

In addition, although Rhoads discloses that a user can distribute cards having different levels of access authentication and can choose which level of card is given to a recipient, that patent does not disclose or suggest at least the feature of displaying an inquiry as to whether a user intends to receive a data list based on detected digital watermark information.

Accordingly, Applicant submits that the present invention recited in Claims 9, 19, 20, and 25 is patentable over the cited art. The dependent claims are believed patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicant  
Brian L. Klock  
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
BLK/lmj

DC\_MAIN 177285v1